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**SUPPLEMENTAL  
DECLARATION FOR UTILITY  
OR DESIGN  
PATENT APPLICATION  
(37 CFR 1.67)**

Attorney Docket Number	104831-0002-103
First Named Inventor	Yan Chang
<b>COMPLETE IF KNOWN</b>	
Application Number	10/657,383
Filing Date	September 8, 2003
Art Unit	1623
Examiner Name	L. C. Maier

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## METHOD FOR ENHANCING THE EFFECTIVENESS OF CANCER THERAPIES

*(Title of the Invention)*

the specification of which

 is attached hereto
**OR**
 was filed on (MM/DD/YYYY) 09/08/2003 as United States Application Number or PCT International

Application Number

10/657,383

and was amended on (MM/DD/YYYY)

09/08/2003  
12/23/2003  
06/01/2004  
08/15/2006

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed		Certified Copy Attached?	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_ (\_\_\_\_\_)

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**SUPPLEMENTAL DECLARATION — UTILITY OR DESIGN PATENT APPLICATION**Direct all correspondence to:  The address associated with Customer Number: **28120**OR  Correspondence address belowName **FISH & NEAVE IP GROUP, ROPES & GRAY LLP**  
**Matthew P. Vincent**Address  
**One International Place**City **Boston** State **MA** ZIP **02110-2624**  
Country **US** Telephone **(617) 951-7000** Email**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:  A petition has been filed for this unsigned inventorGiven Name **Yan** Family Name or Surname **Chang**Inventor's Signature DateResidence: City **Ashland** State **MA** United States of America Country **United States** Citizenship **US**Mailing Address: **79 Winter Street**City **Ashland** State **MA** ZIP **01721** United States of America Country **United States**Name of Second Inventor:  A petition has been filed for this unsigned InventorGiven Name **David** Family Name or Surname **Platt**Inventor's Signature DateResidence: City **Newton Center** State **MA** United States of America Country **United States** Citizenship **US**Mailing Address: **12 Appleton Circle**City **Newton** State **MA** ZIP **02459** United States of America Country **United States** Additional inventors or a legal representative are being named on the \_\_\_\_\_ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: \_\_\_\_\_ Signature: \_\_\_\_\_

Docket No.: 104831-0002-103  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Chang et al.

Application No.: 10/657,383

Confirmation No.: 9375

Filed: September 8, 2003

Art Unit: 1623

For: METHOD FOR ENHANCING THE  
EFFECTIVENESS OF CANCER THERAPIES

Examiner: L. C. Maier

### DECLARATION OF ADDED INVENTOR UNDER 37 C.F.R. 1.48(a)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, David Platt, residing at 12 Appleton Circle, Newton Center, Massachusetts, hereby state that:

1. I was inadvertently omitted as an inventor in the above-identified application, hereinafter called the "referenced application."
2. The referenced application was filed as an application of Yan Chang and Vodek Sasak.
3. The inadvertent omission of my name as an inventor occurred without any deceptive intent on my part.

The undersigned declares further that all statements made herein of his own knowledge are true and all statements made on information and beliefs are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date: \_\_\_\_\_

David Platt

## ASSIGNMENT

WHEREAS, I, **David Platt**, together with co-inventor **Yan Chang**, have invented a certain improvement in **METHOD FOR ENHANCING THE EFFECTIVENESS OF CANCER THERAPIES** described in an application for Letters Patent of the United States, the specification of which:

- is being executed on even date herewith; and is about to be filed in the United States Patent Office;
- was filed on **September 8, 2003** as Application No. **10/657,383**;
- was patented under U.S. Patent No. \_\_\_\_\_ on \_\_\_\_\_.

WHEREAS, **Prospect Therapeutics, Inc.**, (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of Delaware**, having principal offices at **12 Gill Street, Suite 4700, Woburn, Massachusetts 01801** desires to acquire an interest therein in accordance with agreements duly entered into with me;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, I have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, my entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with my entire right, title and interest in and to said application and such Letters Patent as may issue thereon, and any reissue, continuation, divisional and foreign counterparts thereof and including the right to claim priority under any applicable statute, treaty or convention based on said application; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by me had this assignment not been made; I hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent, all choses in action pertaining to the applications or Letters Patent including the right to sue for and collect damages and other recoveries for past infringement thereof, all rights to initiate proceedings before government and administrative bodies, and all files, records and other materials arising from the prosecution, exploitation, or defense of rights and registrations pertaining to the applications or Letters Patent. I hereby acknowledge that this assignment, being of my entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any

and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, I hereby further agree for myself and my executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, I do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

Inventor \_\_\_\_\_ Date: \_\_\_\_\_  
**David Platt**

Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness \_\_\_\_\_ Date: \_\_\_\_\_

Address \_\_\_\_\_  
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\_\_\_\_\_